

REMARKS

The Examiner's Action mailed on December 2, 2008, has been received and its contents carefully considered.

Claims 1-9 are pending in this application. By this Amendment, claim 1 is amended. Claim 1 is independent. Reconsideration of the application in view of the above amendments and following remarks is respectfully requested.

The Office Action rejects claims 1-5, 8 and 9 under 35 U.S.C. §103(a) as being unpatentable over U.S. Patent Application Publication No. 2001/0035310 to *Tsuboi* et al. (hereinafter "*Tsuboi*") in view of JP 2003-013989 to *Yutaka* (hereinafter "*Yutaka*"). The Office Action also rejects claims 6 and 7 under 35 U.S.C. §103(a) as being unpatentable over *Tsuboi*, in view of *Yutaka* and U.S. Patent No. 2,135,634 to *Byrom* (hereinafter "*Byrom*"). These rejections are respectfully traversed.

Claim 1 recites that the power transmission faces of the engagement arms include power transmission faces each having a relatively great interference fit and power transmission faces each having a relatively small interference fit relative to the power transmission faces having the relatively great interference fit, and that the power transmission faces each having the relatively great interference fit are disposed radially symmetrically with respect to a center of the annular main body of the elastic member. These features are discussed and illustrated, by way of example, in Fig. 5, by elements 460 having a depth of d1, and in paragraphs [0009]-[0011]. Here, interference fits may allow an elastic engagement member to more easily accommodate a centering offset and an angular offset between the first and second engagement members. Further, even

if the engagement arms of the elastic member are flattened during prolonged use, the relatively great interference power transmission faces still have sufficient interferences to transfer power through the device. Power transmission can therefore be transferred through these relatively great interference power transmission faces during use over an extended period.

The Office Action concedes that *Tsuboi* fails to disclose the above features, and asserts that *Yutaka* teaches those features. However, this assertion is incorrect.

Yutaka teaches, as illustrated in Fig. 3, that an annular member 17 includes extending members 17a. These extending members mesh with elements 16e of gear 16, and with elements 18a2 of outer hub 18. One of two transmission faces of each of the extending members 17a meshes with element 16e, and the other transmission face meshes with element 18a2. However, the *Yutaka* reference teaches only that such meshing occurs between gear 16, annular member 17, and outer hub 18, and fails to teach how such elements are meshed or fitted together.

The Office Action asserts that the *Yutaka* reference teaches the subject matter recited in claim 1 because of general variations in the dimensions of mechanical components due to the realities of imperfect manufacturing processes. However, simple unintended variation of component attributes due to manufacturing tolerances does not necessarily result in the interference fits recited in claim 1.

Therefore, the *Yutaka* reference fails to teach, either expressly or inherently, that the power transmission faces of the engagement arms include power transmission faces each having a relatively great interference fit and power

transmission faces each having a relatively small interference fit relative to the power transmission faces having the relatively great interference fit, and that the power transmission faces each having the relatively great interference fit are disposed radially symmetrically with respect to a center of the annular main body of the elastic member, as recited in claim 1.

Byrom fails to overcome these deficiencies as discussed above.

In view of the above, no permissible combination of the applied references can reasonably be considered to teach, or to have suggested, the combination of features recited in independent claim 1. Claims 2-9 are also allowable, at least for their dependence on an allowable independent claim 1 as discussed above, as well as for the separately patentable subject matter that each of these claims recites.

Accordingly, reconsideration and withdrawal of the pending rejections of the Office Action under 35 U.S.C. §103 are respectfully requested. It is submitted that this application is in condition for allowance. Such action, and the passing of this case to issue are requested.

Should the Examiner feel that a conference would help to expedite the prosecution of this application, the Examiner is hereby invited to contact the undersigned counsel to arrange for such an interview.

Should any fee be required, the Director is hereby authorized to charge the fee to our Deposit Account No. 18-0002, and is requested to advise us accordingly.

Respectfully submitted,



February 27, 2009

Date

Robert H. Berdo, Jr. – Reg. No. 38,075
RABIN & BERDO, PC – Cust. No. 23995
Telephone: 202-371-8976
Fax: 202-408-0924

RHB/ARK/pq